

OCT. 12. 2005 11:59AM  
TO : USPTO

ZILKA-KOTAB, PC

NO. 0472 P. 1

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SAN JOSE, CA 95113

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FAX (408) 971-4660

**FAX COVER SHEET**

Date:	October 12, 2005	Phone Number	Fax Number
To:	Examiner Mitchell		(571) 273-8300
From:	Kevin J. Zilka		

Docket No.: NAI1P474/01.112.01

**App. No: 09/944,114**

Total Number of Pages Being Transmitted, Including Cover Sheet: 18

**Message:**

Please deliver to Examiner Mitchell.

Thank you.  
Kevin J. Zilka

Original to follow Via Regular Mail  Original will Not be Sent  Original will follow Via Overnight Courier

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AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

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NO. 0472 P. 2

OCT 12 2005

Practitioner's Docket No. NAIIP474/01.112.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Christopher A. Barton et al.

Application No.: 09/944,114  
Filed: September 4, 2001  
For: UPDATING COMPUTER FILES

Group No.: 2193  
Examiner: Mitchell, J.

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
  - i. Prior to abandonment of the application

ENCLOSURES

3. Enclosed herewith is:

---

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

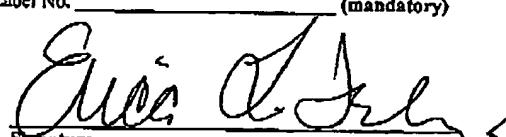
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— deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)  
— with sufficient postage as first class mail.

37 C.F.R. § 1.10\*  
— as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: 10/12/2005

  
Signature

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(j). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)—page 1 of 3

10/14/2005 WADDLE RI 00000100 501351 09944114  
01 FC:1801 790.00 DA  
02 FC:1252 450.00 DA

An amendment

**FEE FOR REQUEST (37 C.F.R. § 1.17(e)).**

4. This application is on behalf of other than small entity.

Continued Prosecution Request Fee: 790.00

**FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE
TOTAL	15	- 30 = 0	x \$ 50.00 = \$ 0.00
INDEP.	3	- 3 = 0	x \$ 200.00 = \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM		+ \$ 360.00	= \$ 0.00
		TOTAL ADDIT. FEE	\$ 0.00

No additional fee for claims is required.

**EXTENSION OF TIME**

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for two months:

Fee: \$450.00

**TOTAL FEE(S) DUE**

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$790.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$450.00

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)—page 2 of 3

Total Fee(s) Due: \$1,240.00

**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

Charge Account 50-1351 (Order No. NAI1P474) the sum of \$1,240.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 50-1351 (Order No. NAI1P474).

**INVENTORSHIP**

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

  
\_\_\_\_\_  
Signature of Practitioner  
Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

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with sufficient postage as first class mail.

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as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

A handwritten signature of Erica L. Farlow.

Signature

Erica L. Farlow

(type or print name of person certifying)

Date: 10/12/2005

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Request for Continued Examination (RCE) (37 C.F.R. § 1.114)—page 2 of 3

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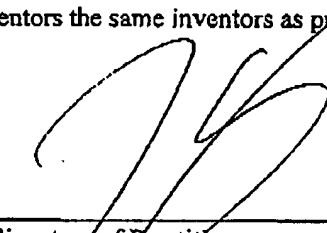
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USA